

Serial No. 09/844,706
Attorney Docket No. 68146988.713

III. Remarks

Reconsideration of this application is respectfully requested in light of the above amendments and the following remarks. Claims 1-10 are pending in this application. Claims 1-4 and 6-9 have been amended and claims 5 and 10 have been maintained in their previous form.

The Examiner rejected claims 1-10 under 35 USC 102 as being anticipated by U.S. Patent No. 6,434,557 to Egilsson et al. ("Egilsson"). These rejections are moot as independent claims 1 and 6 have been amended. Claims 1 and 6 have been amended to clarify the term "allocated" as discussed more fully during the telephonic interview of November 3, 2004. As explained by the Applicants and agreed to by the Examiner, Egilsson neither teaches or suggests "determining at least one allocated dimension level for the measure, the allocated dimension level being undefined at a lowest dimension level" as claimed in each of independent claims 1 and 6.

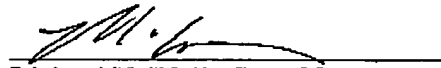
Accordingly, claims 1 and 6 are now in condition for allowance. As dependent claims 2-5 and 7-10 depend from and further limit claims 1 and 6, respectively, these claims are now in condition for allowance as well. An early formal notice of allowance of claims is requested.

A check is enclosed to accommodate the fees for a two-month extension of time. A Petition for Extension of Time is concurrently filed herewith. If any additional fees are required to complete this filing, the Commissioner is authorized to charge those fees, or credit any overpayment, to Account No. 13-0480, Attorney Docket No. 68146988.713.

If the Examiner has any questions regarding this Amendment and Response to Office Action or the Application in general, Examiner is invited to contact the Applicants' attorney at the below-listed telephone number.

Respectfully submitted,

Date: 10 NOVEMBER 2004


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Applicant(s): Shah, et al.

Title: ALLOCATION MEASURES AND METRIC CALCULATION

Application No.: 09/844,706 Filed: April 27, 2001

Examiner: Neveen Abel-Jalil Group Art Unit: 2175

Atty. Docket No.: 68146988.713

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P.O. Box 1450
Alexandria, VA 22313-1450

SUMMARY OF EXAMINER INTERVIEW

Pursuant to 37 CFR 1.133(b), Applicants provide the following written statement regarding the substance of the telephonic interview conducted on November 3, 2004 among Examiner Abel-Jalil, attorney for Applicant Richard V. Wells, and inventor Bob Ertl.


The interview focused on the pending independent claims and the applicability of U.S. Patent No. 6,434,557 to Egilsson et al. to the patentability of the pending independent claims – claims 1 and 6. Specifically, Applicants explained the differences between the teachings of Egilsson et al. and the independent claims, which claim in part “determining at least one allocated level for the measure.” Applicants suggested amending claims 1 and 6 to clarify the term “allocated” in relation to the Egilsson et al. reference. The Examiner agreed that the Egilsson et al. reference should be removed in view of the proposed amendments. Additional details are provided in the contemporaneous amendment, filed herewith, and are adopted herein by reference.

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